

DA C.

Michelle R. Eason
Paralegal Specialist
Office of Petitions



Re: Application of
Kevin Cattenhead
Application No. 09/844,613
Filed April 27, 2001

RECEIVED

DEC 05 2008

OFFICE OF PETITIONS

Dear Michelle R. Eason,

I am going to write down all the information that I can remember from 2003 thru 2008 as complete and to the best of my recollection and I pray that this will show that this whole thing was unintentional. There were other circumstances that transpired during this period that I didn't include in the previous letter.

I was married (to my now ex-wife) when the money for the patent was sent to the USPTO in 2002, as stated previously, my wife, at the time, and I were having marital problems. Our rent was 1500.00 per month, we split everything rent, utilities, phone, food and needed things for our daughter. We paid our own car notes, insurance and other personal bills. I had to save 8 to 9 months to get the money for the attorney, patent issue fee and the publication fee, which came out to about \$1900.00. She had access to my business checking account that was opened earlier in 2002. I was going to try and do this business venture together with my wife at the time. She, for what ever reason, removed money from the business checking account, about \$700.00, without my knowledge. She knew what the money in the business checking account was for. I found out about a month afterwards (mid to late November) that the check didn't clear for lack of funds. When I confronted her about it, she didn't give me an answer, she just walked away. With this happening and finding out that she was having an affair with, of all people, the mailman, how cliché is that? I found this out from a diary that for some odd reason she left on the bed in our bedroom. I didn't even know she had a diary. But I did look in it mostly at the last entries which told me she was seeing the mailman, she actually wrote down things they were doing, as well as get together on days I remember her saying she was going out with "the girls" and she was writing down the mans name, which I also knew since he was our mailman for a number of years. I had put up with enough and was becoming mentally unstable, so I decided for my sanity to move out and get a motel room. I had a small amount of money in my personal checking account, a little over \$300.00, which is what I used to get a motel with. I had to pay them weekly which I got from my bi-weekly paycheck. I understand that for some reason I'm supposed to treat the money for the patent as the most important thing? I must apologize and with all due respect, but having a roof over my head, having something to eat, along with transportation to and from work and child support was the most important thing at the time. Child support was \$200.00 per month for my 11 year old daughter(an agreed amount between the mother and I) I was also paying back child support in the amount of \$350.00 monthly, deducted from my pay check bi-weekly for my son Kevin Maurice Cattenhead. I only bought essentials, I couldn't afford anything else. I just went to work and back to the motel and had to settle for fast foods during this time since I didn't have a stove. I also defaulted on my student loan that I got for an automotive college that I attended in mid 1980. I also had to pawn things I had, VCR& television even my wedding ring to get by from time to time. I visited my daughter as often as I could. I was also paying about \$80.00 per month for 2 credit cards. I'm a type 2 diabetic that requires oral medication that was amounting to about \$70.00 per month, Benazepril 10mg, Simvastatin 40mg, Atenolol 25mg, Actos 45mg, Glyburide/Metformin 200m,g Cartia 300mg and Amiodarone 200mg \$10.00 each,

along with \$10.00 per co pays for monthly doctors visits. I am now having to inject insulin and humalog \$30.00 each along with my oral medication. I'm also having some complications such as loss of feelings in my feet over the last year. I was paying about 65.00 a month for a much needed cell phone. I had to pay \$190.00 weekly for the motel and about \$90.00 a month in gas for the car since I had to live in a motel in the lower income area about 25 miles one way from work, so I could afford it. I could get a one bedroom apartment for less per month, about \$650.00 monthly but I had to have first months rent and a deposit to move in. So it took me a quite a few months to save enough money to get an apartment. I stayed in the motel from late January until mid July when I was able to find a reasonable apartment at \$600.00 per month with only a \$300.00 deposit. Again with all due respect and with all I was going thru to survive, I was not able to pay for the attorney fee, patent and publication fees which amounted to about \$1900.00. At the time I was working for Cerritos Ford in Cerritos California as a brake and front end technician. I had been the over 2 ½ years when a couple of weeks into October of 2003, I was terminated for a bogus reason We were given brake rotor and drum specifications on a sheet from Ford Motor Company to determine if the brake rotors and drums that were checked during brake inspections were still within specification and can be reused or if they needed to be replaced. The day after receiving the specs chart, I was working on a mustang for a brake inspection because the customer complained about shaking in the steering wheel and pulsation in the brake pedal when the brakes were applied. I made recommendations to replace both front rotors. Here's when everything started happening. The very next day I was called into the Service Directors office and told I was being suspended for recommending something that was not needed. It turned out that the specs on the sheet was wrong. I was told what the actual specs were in comparison to what I had written down. I was told that I should have used the stamped specifications on the rotors and I asked, then why did you give us these charts if we were supposed to use the stamped specifications on the rotors and drums? I was told that we can go on with this all day and refused to give me an answer. I later found out from a friend of mine working there that they wanted to get rid of some of the higher paid techs (13.00 to 15.00 per hour) in favor of some of the lower paid and recently hired techs at 10.00 per hour. This came from the new Vice President that took over 2 months prior to my termination and this was the only way they could do it. I was always on time and never called in sick for over 2 ½ years and was an excellent worker, but saving money was their only concern, there were a few terminated before me but I had no idea this was coming. I went on unemployment and lost everything I couldn't find a job during the holiday season since that time of year is typically slow in the automotive field. I lost my apartment, my credit cards went delinquent and I was not even able to pay my car note. I also owe back taxes to the state and federal government that they were allowing to pay small amounts monthly, I couldn't even pay that and was not able to pay my student loan. I went back to little cheaper motel about \$180.00 a month but could only stay a couple of months. During the time I was staying in the motel earlier in the year, a friend, Joyce, that I have known since I came to California in 1982 started to talk to me, as a friend, and it blossomed into something more. When I told her of my situation she said I could move in with her and stay in her spare room until I could get back on my feet. Once again with due respect, my situation would not allow for me to pay attorney, patent and publication fees and the delay as you can see was not intentional.

While I was looking for a job during the remainder of October, November, December and January(2004) things became extremely stressful, when in late January 2004 I had a heart attack from all the stress I was under. There was tremendous pressure on my chest for a day and half, it got the best of me on the second day. I, of course, didn't know it was a heart attack and drove myself about 25 miles to my hospital. When I was admitted they had to administer an anti-blood clotting agent that they told me could kill me if I bled in my brain area, I had no choice and prayed everything would be okay. My friend Joyce came down to the hospital later after my chest felt better. I called and gave directions. After about 3 or 4

days in the hospital, I had surgery to have a stent put in a heart artery where part of it was clogged and part had collapsed. I was in the hospital for about a week. I was not able to work for at least 6 months. At this point I was financially devastated. My friend Joyce was allowing me to stay almost rent free and the little bit of unemployment that I was getting just paid for some of her utilities. I was cleared to work in July and was blessed enough to get a job about 15 miles from where I was staying in Los Angeles. But after a month and a half I was released because one of the companies repair shops closed down and the owner transferred some of the techs to the store that I was working at, so last hired, first fired. I again attempted to find a job and had to go back on unemployment. In November 2004 I got a job with my current employer Just Tires/Goodyear. I was still under my wife's insurance and she allowed me to use it for the remainder of the year (2004), even though we weren't together. She didn't have to pay for it since she was working thru the county as an administrator assistant for the public school system. I was thankful that she allowed me to use her insurance during that time. When the insurance was canceled by the end of 2004, I had to go to the county hospital for my medical needs and for prescriptions for my heart and high cholesterol. I had to go on coumadin (a blood thinner) that I'll be on for the rest of my life. In early 2005 she told me that she had got the divorce papers saying that she agreed our time had passed. During 2005 I had to resume paying back child support for the State of Washington, Los Angeles, and Alameda County California for my son. I also proposed to my current wife in March 2005. We agreed to marry on May, 20 2006, and the only way that could happen was Joyce's' parent gave us the money. Low and behold in 2005 my ex wife filled for child support for my daughter Erica Joi Cattenhead with the state of California. She did this because she found out thru my daughter (who was 15 at the time. Born May 28th 1990), I was engaged to my current wife and we were getting married. She filed child support for years that we were still living together, and the court sent a child support order to my job for over \$800.00 a month without verifying if the information that she gave them was even true. I shouldn't be paying child support for the time we were together in the same house. Once again my financial situation went from bad to worse. I'm in the process of fighting that, but like everything else it costs money and time. I was previously paying her monthly without a court order but because of my financial situation it was admittedly sporadic. During July 2005, while still having heart problems, an irregular out of rhythm heartbeat, I was seeking information about what I would need to do to reapply for a patent. I did this because I thought if I could revive the patent process or reapply, I could possibly sell the idea and get out of debt. I enquired with the inventor's helpline from the USPTO website and was told that once the deadline had been passed to file the patent and publication fees and that it was published on the USPTO website it could no longer be done. I was told no one can patent it, but neither can I, so since I trusted what I was told by someone from your website and not knowing any different or thinking to ask anyone else, I thought that was it. At the time I didn't think it was smart to try and sell a product that any one could copy and sell without any penalty, especially this original and simple idea and design. My fiancée Joyce and I spent the latter part of 2005 and early 2006 preparing for our May 20th wedding. I didn't find out until June 2007 (I remember this month well because it renewed my hope.) when a customer stopped by our shop for a tire repair, saying he was in a hurry to meet a client and if we could fix his tire right away. Being curious I asked what kind of work he did and thank GOD I did, he turned out to be a Patent Attorney. I asked if the information that I got was true and he said no! He said I could file a petition to revive an abandoned patent application. He told me where to go on the USPTO website and which page to find the information. At this point I started to do some research and called a few more patent attorneys locally and sure enough, I was told which papers to file and where to look up the fees. I even rechecked with the inventor helpline on the USPTO and they told me that whoever told me that I couldn't revive an abandoned patent application was wrong. I immediately started saving the money. With the help of my current wife, Joyce, who gave me a portion of

her 2008 income tax refund, together with the money I was saving. Because she believes in the L.E.G.R.D. (Latex Examination Glove Removal Device). I sent in the needed fees and forms

I sent in the \$720.00 patent issue fee and the \$300.00 Publication fee= \$1020.00

The fee for revival of an abandoned application. \$770.00

Totaling \$1790.00

(all are the fee costs at the time of filing.)

as I was directed to do in June 2007 from the inventors helpline

I did get a PO BOX in Los Angeles in 2006, I had one previously in Artesia Ca., where all my bills were sent., but lost it due to non payment. There was no way I could have known the situation with the patent issuance procedures other than what I was told from the USPTO inventor's helpline. When I was told I could not renew the patent application process, as mentioned above, I saw no other choices until by chance or Gods intervention, that patent attorney and a few others told me I could. I know it's been 5 plus years but, the last year has been spent saving money. This product will get snatched up if I don't have protection from the government. With all the information that I'm sending along with the fees I've paid, please take that into consideration. Things have not been easy. These were circumstances beyond my control. The statement in question on the other letter referring to my wife at the time was we were not going to get back together and it would not be fair that she gets any claims and rights to an invention that I came up with before we were married. And the fact that she was unfaithful, I was hurt and emotionally destroyed. I couldn't think straight for a while because I did love her, and with all I was going thru I couldn't think straight, t I had so much to do just to take care of me, my health and my financial situation that I didn't think about it at the time. As I mentioned, I had no idea of the ramifications of not following up on the application process. When I did finally get the correct information, I got the money together as quickly as I could, and it took the help of my current wife and it was not easy accepting the money from her, but she understood I could not pay it back right away, so she has a large investment in this invention.

I must also say I have no reason to say that my patent attorney at the time, Mr. Goldstein didn't do or follow up on what he was supposed to do regarding the patent process. I was not at the address listed with him and I didn't get any mail sent from him that was sent to the address I was living at with my wife at the time. I didn't think to call Mr. Goldstein and give him a friend's address. When I finally could afford a small storage space a month or so after I was in the motel, I put my belongings in storage and found out from my ex wife, that all my mail had been thrown away because she was angry with me. There were other instances that occurred during this time but the ones listed were the most life changing. I had to spend a week in the hospital in 2005 because of a rapid heartbeat discovered during one of my office visits, 180 beats per minute. I didn't want to stay but they told me I had to stay or they would not be responsible if something happened.

I wrote down all the things I could remember. I hope the things I am sending are sufficient.

I have enclosed some copies of my pay checks from 2004 to current, along with copies of my heart attack records from the hospital and any other papers of importance. I hope this proves that this whole thing was unintentional.

Sincerely

Kevin Cattenhead
encl.



Renewed Petition under 37 CFR 1.137(b)

Attn: Michelle R. Eason
Paralegal Specialist
Office of Petitions

In re: Application of
Kevin Cattenhead
Application No. 09/844,613

Kevin Cattenhead
PO Box 78683
Los Angeles, Ca.90016
213-453-1845

INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: C13

Date: 12/2/08

APPLICATION NO. 09/844613

1. PETITION TYPE	CODE
<u>R137(a) Petition</u>	<u>501</u>
<u>R137(a) Petition (Issue Fee/Dwgs)</u>	<u>509</u>
<u>R137(b) Petition</u>	<u>502</u>
<u>R137(b) Petition (IFEE/DWG)</u>	<u>510</u>
<u>R53(e) Filing Date</u>	<u>412</u>
<u>R137(f) Petition</u>	<u>536</u>
<u>R183 Pet. (waive R67 sup. dec.)</u>	<u>516</u>
<u>R182 Petition (inv. name chg., order of inv., atty/assig. name chg., dup. let. pat.)</u>	<u>519</u>
<u>R182 Petition - (omit items w/postcard)</u>	<u>520</u>
<u>R183(susp./waive ex. rule, R59)</u>	<u>503</u>
<u>R378(b/e) Petition</u>	<u>532</u>
<u>R378(c) Petition</u>	<u>533</u>
<u>R377 Petition</u>	<u>521</u>
<u>R381(b) Petition</u>	<u>523</u>
<u>R181 Petition (rev. non-exam)</u>	<u>515</u>
<u>R181 Petition (rev. exam)</u>	<u>504</u>

PETITION TYPE	CODE
<u>R28c Petition (small to large)</u>	<u>321</u>
<u>R28c Petition (large to small)</u>	<u>320</u>
<u>R47 Petition</u>	<u>313</u>
<u>R53 Petition(Lost App., postcard rec., inc. by ref., conversions, misnum/mislabel. dwgs)</u>	<u>408</u>
<u>R10(d) Exp. Mail FD (USPS)</u>	<u>411</u>
<u>R10(c/e) Exp. Mail FD</u>	<u>416</u>
<u>R53 Pet. conv. to/from prov.</u>	<u>527</u>
<u>R78(a)(3)/(6) Petition</u>	<u>535</u>
<u>R55(c) Petition</u>	<u>535</u>
<u>R55(a) Petition</u>	<u>507</u>
<u>R183 Petition (corr. data 85b/pat)</u>	<u>538</u>
<u>R314 Petition</u>	<u>508</u>
<u>Pet. W/D Abn</u>	<u>525</u>
<u>R705(b) PTA-Bef iss</u>	<u>550</u>
<u>R705(d) PTA-Aft iss</u>	<u>551</u>
<u>R705(c) Reinstate red. term.</u>	<u>552</u>
<u>R701 PTE</u>	<u>553</u>
<u>Other</u>	

2. LIST PAPERS FILED WITH PETITIONS

<u>PreAmdt/Amdt</u>	<u>CPA</u>	<u>Associate POA</u>
<u>Filing Fees</u>	<u>RCE</u>	<u>Terminal Disclaimer</u>
<u>Reply/Arguments</u>	<u>IDS</u>	<u>Change of Address</u>
<u>Election</u>	<u>129(a) Submsn</u>	<u>Revocation/POA</u>
<u>Notice of Appeal</u>	<u>Issue Fee</u>	<u>Priority Documents</u>
<u>Brief (3)</u>	<u>Drawings</u>	<u>Request C of C</u>
<u>Reply Brief</u>	<u>Oath/Decl & POA</u>	<u>Rule 312 Amdt</u>
<u>Declaration R132</u>	<u>Ext Time ()</u>	<u>Statement 3.73b</u>

Other Papers _____

3. Is paper a petition to withdraw holding of abandonment: yes no
If so, send paper and/or file to appropriate location (Note: remove any flag set first):

- Nonreceipt of action from TC or assertion that reply was timely filed:
Send paper to TC _____
- Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:
Send paper to -OIPE - -CP2-5B26- - ATTN: Doshie Day
- Assertion of timely payment of issue fee and/or submission of drawings:
Send petition to Office of Publications: ATTN: Tom Hawkins
- Other _____

4. Other: _____
If not handled in Office of Petitions, send paper to appropriate location.

5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance